Perry D. Oldham Jerry L. Hefaer, Ph.D. Russell M. Jeide Abraham W. Chuang

Pul Tong Ho, Ph.D. Erlk T. Anderson

Josse A. Rothwell Danielle Klausner

Kyle F. Schluster

Ted M. Cannon Carol M. Pitzel Josué A. Villalta

Sheila R. Gibson Andrew I. Kimmei

Curtis R. Huffmire

Aaron D. Barker Christian A. Fox M. Todd Hales

Tina Chen Brenden Gingrich, Ph.D.

Christopher L. Ross Don W. Anthony, Ph.D. John G. Rickenbrods

M. 10dd Hales Ell A. Loots, Ph.D. Jennifer L. Enmon, Ph.D. Ryan E. Meinick, Ph.D. Yanna S. Bourls Philip M, Nelson

Karl L. Klassen Walter S. Wu, M.O.

Nathan E. Durrance Marko R. Zoretic Mincheol Kim

Mincheol Kim Robert J. Yamasaki, Ph.D. Derek C. Dailey Kathleen R. Mekjian, Ph.D. Christopher T. Sweeney Lance F. Stern

Katsuhiro Arel

John F. Heat Kerry S. Taylor, Ph.D.

Rohi Kumar

C. Philip Poirier Mark A. Golar

Gregory A. Hermanson Zi Y. Wong John N. Kandara

Matthew S, Bellinger Darryl H, Steensma, Ph.D. Lauren J. Keller

James B. Bear Darrell L. Olson' William B. Bunker William H. Nieman Arthur S. Rose Jemes F. Lesniak James F. Lesniak Ned A. Israelsen Drew S. Hemillon John B. Sganga, Jr. Edward A. Schlatter Gerard von Hoffmann Joseph R. Re Catherine J. Holland John M. Carson Karen Vogel Well Andrew H. Simpson Jeffrey L. Van Hoosear Daniel E. Altman Daniel E. Altman Stephen C. Jensen Vito A. Canuso III William H. Shreve Lynda J. Zadra-Symest Steven J. Nataupsky Paul A. Stewart Joseph F. Jennings Craig S. Summers AnneMarie Kalser Brenton R. Babcock Thomas F. Smegal, Jr. Michael H. Trenholm Diane M. Reed Ronald J. Schoenbaum John R. King Frederick S. Berretta Nancy W. Vonsko John P. Glezentanner Adest S. Akhtar Thomas R. Arno David N. Weiss Daniel Hart, Ph.D. Douglas G. Muchihauser Lori Lee Yamato Michael K, Friedland Date C. Hunt, Ph.O. Stacey R. Halpern Lee W. Honderson, Ph.D. Mark M. Abumeri Jon W. Gurka John W. Holcomb Joseph M. Reisman, Ph.D.

Michael L. Fuller Eric M. Nelson Mark R. Benedict, Ph.O. Paul N. Conover Robert J. Roby Kobert J. Roby
Sabing H. Lee
Karding A. Delaney
Joseph S. Clanfrani
William R. Zimmorman
Paul C. Steinhardt
Eric S, Fyrman, Ph.D. End S. Furman, Ph.D. Susan M. Netland James W. Hill, M.D. Rose M. Thiessen, Ph.D. Michael A. Guillana Mark J. Kertz Rabinder N. Narula Bruce S. Itchkawitz, Ph.D. John M. Grover Mallary K. De Merilei Irfan A. Lateel Amy C. Christensen Mark J. Gallagher, Ph.D. David G. Jankowski, Ph.D. Brian C. Horne Payson LeMellleur Shells N. Swaroon Ben A. Katzenellenbegen Andrew N. Merickel, Ph.D. Thomas P. Krzeminski Deborah S. Shepherd Glen L. Nuttal) Tirzah Abé Lowe Fan Abe Lowe Sanjivpal S. Gill Michael S. Okamoto Sharon S. Ng Linda H. Liu James F. Herkenhoff James F. Herkennorr
Scott Loras Murray
Andrew M. Douglas
Marc T. Morley
Salima A. Merani, Ph.D.
Sam K. Tahmassebi, Ph.D. Sam K. Tanmassedt, Ph Christy G. Lea Jonathan A. Hyman Curtiss C. Dosler Josoph J. Mallon, Ph.D. Sean M. Murray J. David Everedtt

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

2040 Main Street Fourteenth Floor Irvine, CA 92614 Tel 949-760-0404 Fax 949-760-9502 kmob.com

IMPORTANT NOTICE

The information accompanying this facsimile transmission is intended only for the use of the recipient named below. The information may contain confidential information which may also be legally privileged. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us. Any disclosure, copying, distribution or the taking of any action in reliance on the contents of faxed information received in error is strictly prohibited

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

August 12, 2005

Of Counsel Louis J. Knobbe' Jerry R. Saller

Japanese Patent Atty Katsubiro Ara

> Korean Patent Atty Minchest Kim Houngsoo Choi

Scientists & Engineers (Non-Lawyers)

(Non-Lewyers)
Raimond J. Salenieks**
Khurram Rahman, Ph.D.
Cho S. Chereskin, Ph.D.**
James W. Ausigy**
Connie C. Tong, Ph.D.**
Suzanne Jepson, Ph.D.**
Suzanne Jepson, Ph.D.**
THEANY C. Miller**
Jemes W. Chang, Ph.D.**
Marina L. Gordey, Ph.D.**
Karen J. Lenker Karen J. Lenker Eric B. Ives, Ph.D.** Raymond D. Smith, Ph.D. Cort Wetherald Sam Chang, Ph.D. Brent C. Moore, Ph.D. Ali R. Alemozafar, Ph.D.

"A Professional Corpor † Also Serrister At Law page 6 we ** U.S. Patent Agent 1† Also Solicitor page 6 weeks)

FACSIMILE TRANSMITTAL SHEET

TO:

Examiner Frederick Lyndon Lagman

FIRM:

UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT:

3673

SERIAL NO.: 09/848,972

FILING DATE:

May 4, 2001

FAX NO.:

(571) 273-7043

FROM:

Glen L. Nuttall

CLIENT CODE:

LOCHT.060RA

TOTAL NUMBER OF PAGES: - 6 - (INCLUDING COVER SHEET)

DATE: August 12, 2005

IF YOU DID NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK IMMEDIATELY.

Facsimile Operator Phone Number:

(949) 760-0404

Direct Line to Machine:

(949) 760-9502

MESSAGE:

Enclosed for filing in the above-identified patent application is a Supplemental Amendment and Status of Claims and Support for Claim

Changes.

1864163/081205

550 West C Street Suite 1200 San Diego CA 92101 Tel 619-235-8550

One Sensome Street Sulto 3500 Sulto 3500 San Francisco CA 94104 Tel 415-854-4114 Fax 415-854-4111 1901 Avenue of the Stars Suite 1500 Los Angules CA 90067 Tel 310-551-3450 For 110-551-3458

3403 Tonth Street Suite 700 Riverskie CA 92501 Tel 951-781-9231

1114 Marsh Street San Luis Obispa CA 93401 Tal 805-547-5580 Fax 805-547-5590 Docket No.:

LOCHT.060RA

Page 1 of 1

Please Direct All Correspondence to Customer Number 20995

AMENDMENT / RESPONSE TRANSMITTAL

Applicant

Thomas J. Lochtefeld

Reissue

09/848,972

App. No

Filed : May 4, 2001

Reissue of

5,899,634

Patent No.

For

SIMULATED WAVE WATER

SCULPTURE

Examiner

F. Lagman

Art Unit

3673

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments, are being transmitted via facsimile to the USPTO on the date shown below:

<u>August 12, 2005</u>

(Date)

Total number of pages including this sheet: 6

-Clen L. Negrall Reg. No. 46,188

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Supplemental Amendment in 3 pages.
- (X) Status of Claims and Support for Claim Changes in 1 page.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Glen L. Nuttall

Registration No. 46,188

Attorney of Record Customer No. 20,995

(949) 760-0404

1864082 081205

LOCHT.060RA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Thomas J. Lochtefeld Group Art Unit 3673 Reissue Appl. No. 09/848,972 Filed May 4, 2001 Reissue of Patent No. 5,899,634 For

SIMULATED WAVE WATER SCULPTURE

Examiner F. Lagman

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facaimile transmitted to the Patent and Trademark Office on the date

STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.173(c), the status of the claims is as described below:

Patent Claims 1-8, 10-18 and 20-39 are currently pending. Added reissue Claims 42-49 and 51-85 are currently pending. In the accompanying Supplemental Amendment, patent Claim 36 has been amended.

Support for the amendment to patent Claim 36 is found at least in the Certificate of Correction that was issued by the Office on July 17, 2001 in the parent patent to this reissue application.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Registration No. 46,188 Attorney of Record Customer No. 20,995 (949) 760-0404

1863751 081105